



Federal Communications Commission
Washington, D.C. 20554

October 21, 2005

DA 05-2737

Released: October 21, 2005

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

WSOC-TV Holdings, Inc.
WAXN-TV
3993 Howard Hughes Parkway
Suite 250
Las Vegas, NV 89109

Re: WSOC-TV Holdings, Inc.
WAXN-TV, Kannapolis, NC
Facility ID No. 12793
File No. BRCT-20040802BJF

Dear Licensee:

This letter refers to your license renewal application for station WAXN-TV, Kannapolis, NC.

In the Children's Television Act of 1990, Pub. L. No. 101-437, 104 Stat. 996-1000, *codified at* 47 U.S.C. Sections 303a, 303b and 394, Congress directed the Commission to adopt rules, *inter alia*, limiting the number of minutes of commercial matter that television stations may air during children's programming, and to consider in its review of television license renewals the extent to which the licensee has complied with such commercial limits. Pursuant to this statutory mandate, the Commission adopted Section 73.670 of the Rules, 47 C.F.R. § 73.670, which limits the amount of commercial matter which may be aired during children's programming to 10.5 minutes per hour on weekends and 12 minutes per hour on weekdays. *Children's Television Programming*, 6 FCC Rcd 2111, 2118, *recon. granted in part*, 6 FCC Rcd 5093, 5098 (1991). The commercial limitations became effective on January 1, 1992. *Children's Television Programming*, 6 FCC Rcd 5529, 5530 (1991).

On August 2, 2004, you filed the above-referenced license renewal application for station WAXN-TV. In response to Section IV, Question 5 of that application, you certify that, during the previous license term, station WAXN-TV failed to comply with the limitations on commercial matter in children's programming specified in Section 73.670 of the Commission's Rules. In Exhibit 19 to the renewal application, you state that station WAXN-TV exceeded the children's television commercial limits by 75 seconds on Saturday, April 15, 2000. You attribute the overage to inadvertence.

It appears from the information before us that the overage in question was an isolated and inadvertent violation of the children's television commercial limits. Such *de minimis* violation of

Section 73.670 of the Commission's Rules is not an impediment to a renewal of WAXN-TV's license. Finding you fully qualified to remain a Commission licensee, we conclude that a grant of your application for renewal of license for station WAXN-TV would serve the public interest, convenience and necessity, and BRCT-20040802BJF IS HEREBY GRANTED.

Accordingly, IT IS ORDERED that, a copy of this Letter shall be sent by First Class and Certified Mail, Return Receipt Requested to WSOC-TV Holdings, Inc. at the address listed above, and to its counsel, Kevin F. Reed, Esquire, Dow, Lohnes & Albertson, PLLC, 1200 New Hampshire Avenue, N.W., Suite 800, Washington, D.C. 20036.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau